

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

ABEL ALEJEANDRO ORTIZ

Case No. 4:20-mj-30506

Filed: 12/8/2020

SEALED MATTER

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 18, 2020 in the county of Genesee in the
Eastern District of Michigan, the defendant(s) violated:

Code Section
18 U.S.C. § 922(g)(1)

Offense Description
Felon In Possession of a Firearm

This criminal complaint is based on these facts:

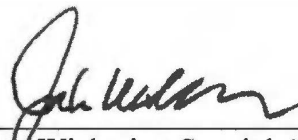
Defendant, knowing that he had been previously convicted of a felony offense punishable by a term of imprisonment exceeding one year, knowingly possessed, in and affecting commerce, a firearm in violation of 18 U.S.C. § 922(g)(1).

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: December 8, 2020

City and state: Flint, Michigan



Complainant's signature

Jonathan Wickwire, Special Agent, ATF

Printed name and title



Judge's signature

Curtis Ivy, Jr., U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT
United States v. Abel Alejeandro Ortiz

I, Special Agent Jonathan Wickwire, being first duly sworn, hereby depose and state as follows:

1. I have been employed as a Special Agent (S/A) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) since November 2016. I am currently assigned to the Detroit, Michigan Field Division, Flint Field Office, where I am tasked with investigating violations of firearms and narcotics laws. I have been involved in numerous investigations involving violations of federal firearms and narcotics laws. Prior to my employment with ATF, the Michigan Department of State Police (MSP) employed me for approximately twelve (12) years. I held numerous positions with MSP, including Task Force Officer with ATF. During this employment, I investigated numerous incidents involving violations of state and federal firearms and narcotics laws, and many of these cases have involved DNA evidence.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested criminal complaint and arrest warrant and does not set forth all of my knowledge about this matter.

3. Based on my training and experience and the facts set forth in this affidavit, there is probable cause to believe that Abel Alejeandro Ortiz has committed a violation of 18 U.S.C. § 922(g)(1), felon in possession of a firearm.

4. A computerized criminal history check of Ortiz revealed that he has two prior felony convictions. Ortiz was convicted in 2015 of Felony Assault with Intent to do Great Bodily Harm less than Murder in the 7th Circuit Court of Michigan. He was sentenced in January 2016 to the custody of the Michigan Department of Corrections for a term of 3 to 10 years' incarceration. Ortiz was also convicted in 2018 of Felony Controlled Substance Possession Cocaine, Heroin, or another Narcotic in the 7th Circuit Court of Michigan.

5. On August 18, 2020, the Flint Police Department responded to a shooting incident at 1317 N. Franklin Avenue, Flint, MI. It was reported that shots were fired into the residence at that location. As Officer Terry VanKeuren Jr. approached the residence he could spent shell casings lying in the street in front of the residence. Officer VanKeuren made contact with Lydia Adrian Ramirez at the main entry door. He observed several bullet holes on the west side of the residence. Officer VanKeuren observed that some of the bullet holes appeared to be the result of a bullet exiting from the interior of the residence. Ramirez granted officers consent to enter the residence.

6. Ramirez stated that she was with her son and granddaughter when someone shot at the residence. When officers entered the residence, they identified Abel Alejeandro Ortiz exiting the kitchen area of the residence. Ortiz was observed wiping his right hand with a rag. He appeared to have fresh blood on his hand.

7. Officers also located five (5) .40 caliber fired cartridge cases inside the residence. Officers also seized multiple bullet fragments from the floor and couch of the living room. One live .40 caliber round was found in on top of the dresser in the northeast bedroom.

8. The occupants were deceptive about firearms being inside the residence. Officer VanKeuren asked Ortiz if he was a felon and he admitted he was a convicted felon.

9. Officer VanKeuren walked Ortiz and Ramirez out to the front yard at which time he noticed fresh blood and two holes on Ortiz's right, rear shorts leg. Upon closer view, Officer VanKeuren observed Ortiz's right leg under his shorts near his thigh and saw what appeared to be two fresh bullet wounds. EMTs reported that Ortiz had a through and through gunshot wound to his right glute muscle.

10. A .40 caliber Glock semiautomatic pistol with an obliterated serial number was found in plain view in the residence. The Glock pistol was inside a garbage can that was in close proximity to where Officer VanKeuren observed Ortiz as he entered the residence. The pistol had a laser attachment and an extended

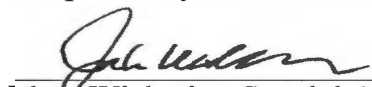
magazine that was loaded with four rounds including on round in the chamber. The spent .40 caliber shell casings found in the residence matched the live rounds that were loaded in the firearm. Additionally, blood was located on the firearm.

11. Based on all the above facts, Abel Ortiz was in close proximity to the above mentioned firearm, and he has likely been in actual possession of the above mentioned firearm due to his leg bleeding and the presence of blood on the firearm.

12. I have received special training regarding the manufacture of firearms and the interstate transportation and distribution of firearms. Based on my training and experience, the above mentioned Glock pistol was manufactured outside the state of Michigan.

13. Based on these facts, I have probable cause to believe that Abel Ortiz committed a violation of 18 United States Code Section 922(g)(1).

Respectfully submitted,



Jonathan Wickwire, Affiant

Special Agent

Bureau of Alcohol, Tobacco, Firearms, & Explosives

Sworn to and subscribed in my presence or by reliable electronic means on December 8, 2020.



Hon. Curtis Ivy, Jr.

United States Magistrate Judge